

OCT 24 2012

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

JULIA C. DUDLEY, CLERK  
BY:  DEPUTY CLERK

BEULAH ROSE,

Plaintiff,

v.

LAWRENCE JOSEPH ROACH d/b/a  
LAW OFFICE OF LARRY ROACH and  
LAW OFFICE OF LARRY ROACH,

Defendants.

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- Case No.: 6:12 cv 00061  
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- PLAINTIFF'S COMPLAINT  
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**COMPLAINT**

BEULAH ROSE ("Plaintiff"), through her attorneys, alleges the following against LAWRENCE JOSEPH ROACH d/b/a LAW OFFICE OF LARRY ROACH and LAW OFFICE OF LARRY ROACH (collectively "Defendants"):

**INTRODUCTION**

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA").

2. Defendants acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

**JURISDICTION AND VENUE**

3. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."

4. Defendants conducts business in the State of Virginia, and therefore, personal jurisdiction is established.

5. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2).

#### **PARTIES**

6. Plaintiff is a natural person residing in Arvon, Buckingham County, Virginia.

7. Plaintiff is a consumer as that term is defined by 15 U.S.C. § 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. § 1692a(5).

8. Defendants are alleged debt collectors as that term is defined by 15 U.S.C. § 1692a(6), and sought to collect a consumer debt from Plaintiff.

9. Defendants are, or are part of, a collection law firm with a place of business in Akron, Ohio.

#### **FACTUAL ALLEGATIONS**

10. Defendants place telephone calls to Plaintiff in an attempt to collect an alleged debt from Plaintiff.

11. Upon information and belief, the alleged debt arises from transactions which were for personal, family, and/or household purposes.

12. Defendants place telephone calls to Plaintiff at xxx-xxx-3344.

13. In or around the beginning of July of 2012, Defendants placed a collection call to Plaintiff and left a voicemail message. *See* transcribed message as Exhibit A hereto.

14. Defendants informed Plaintiff that it had a “confidential” message for Plaintiff and that it needed a “return phone call as soon as possible,” providing telephone number 866-204-3699 (extension 4003). *See* Exhibit A.

15. Defendants identifies the Law Office of Larry Roach, but does not inform Plaintiff that it is a debt collector or otherwise advise Plaintiff that it is calling about a debt collection matter. *See* Exhibit A.

16. As a result, Plaintiff did not have any information from Defendants' message as to the true nature of the call and was left only knowing that a law firm was calling her for some unknown reason.

**COUNT I**  
**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

17. Defendants violated the FDCPA based on the following:

- a. Defendants violated § 1692e(10) of the FDCPA by using deceptive means in an attempt to collect a debt;
- b. Defendants violated § 1692e(11) of the FDCPA by leaving Plaintiff a message that did not disclose that it was a debt collector.

WHEREFORE, Plaintiff, BEULAH ROSE, respectfully requests judgment be entered against Defendant, LAWRENCE JOSEPH ROACH d/b/a LAW OFFICE OF LARRY ROACH and LAW OFFICE OF LARRY ROACH, for the following:

18. Statutory damages pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k,

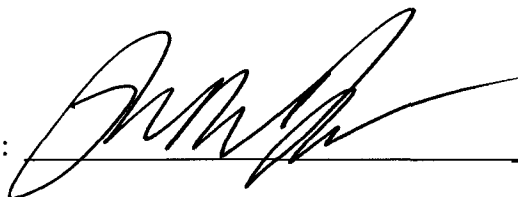
19. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k

20. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

DATED: August 31, 2012

By: \_\_\_\_\_

A handwritten signature in black ink, appearing to read 'R. W. Ferris', written over a horizontal line.

Richard W. Ferris, Esq.  
VSB# 31812  
530 East Main Street  
Suite 710  
Richmond, VA 23219  
(804) 767-1800  
(888) 251-6228 FAX  
rwferris@ferriswinder.com